UNITED STATES GOVERNMENT

Memorandum

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

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TO : Mr. Bassett

FROM : D. Ryan

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

DATE: 10/27/78
1 - Mr. Mintz (Attention: Mr. Heller)
1 - Criminal Investigative Division (Attn: Mr. J. J. Jamar)
1 - Mr. Bassett
1 - Mr. Ryan
1 - Mr. Foster

b2
b7D

PURPOSE.

To furnish status of HSCA request for identity of a Memphis informant; to obtain authority for FBI Headquarters (FBIHQ) Supervisor to accompany Deputy Assistant Attorney General Robert L. Keuch to Memphis at his request to discuss this matter with Memphis personnel; and to get approval for attached teletype be sent to Memphis outlining this informant situation.

BACKGROUND.

In connection with the HSCA's investigation into the assassination of Martin Luther King, Jr., and beginning in April, 1978, the HSCA has submitted a series of requests to obtain [redacted] The HSCA is trying to resolve an allegation that paid FBI informants reporting on the Invaders, a Memphis youth gang, acted as "Agent provocateurs" and instigated violence in Memphis during the Sanitation Worker's Strike, which caused King to return to Memphis where he was killed. HSCA

In response to these requests, FBIHQ and Memphis Field Office files of these five informants have been processed for HSCA access with all identifying data excised. Access to these files was restricted only to G. Robert Blakey, Chief Counsel and Director, HSCA. When contacted in July, 1978, and asked if they would agree to interview by the HSCA, all five of these informants declined.

After Mr. Blakey completed review of these informant files on 10/6/78, he wrote the Attorney General a letter dated 10/17/78 (copy attached) requesting [redacted] HSCA

Based on information in this letter, the informant in question is [redacted] (Bureau file [redacted] and Memphis file [redacted] b2 b7D

REC-60 62-117290-1279

Enclosures (2) ENCLOSURE

JTA:pfm
(7)

CONTINUED - OVER

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[redacted] b2, b7D

HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

[redacted] b7C

In discussions concerning Mr. Blakey's request contained in HSCA letter 10/17/78, it was agreed by representatives of interested Divisions at FBIHQ and Mr. Keuch, that we should not provide informant's identity. However, in order to avoid a confrontation with the Committee and possible Congressional subpoena for his identity, it was decided another effort should be made to contact informant to determine if he was willing to be interviewed by the HSCA. Mr. Keuch asked the Committee to provide additional details stating circumstances of the interview and any other information the Committee may desire the informant be furnished at the time of FBI contact. This additional information was received in HSCA letter to the Attorney General dated 10/19/78 (copy attached).

A copy of both HSCA letters mentioned above was furnished the Memphis Office by facsimile on 10/24/78.

CONFERENCE WITH MR. KEUCH 10/26/78.

On 10/26/78, a conference requested by Mr. Keuch was held in his office, attended by SA D. O. Coulson, Legal Liaison and Congressional Affairs Unit, Legal Counsel Division, SA J. J. Jamar, Top Echelon and Criminal Informant Unit, Criminal Investigative Division, and SA's T. W. Brekke and J. T. Aldhizer, Congressional Inquiry Unit, Records Management Division.

Mr. Keuch agreed that the points in HSCA letter of 10/19/78, as outlined in attached teletype to Memphis, should be brought to the attention of the informant when contacted by the Memphis Office. He further agreed that the informant's decision in this matter should be entirely his own. However, Mr. Keuch believed this issue to be such a crucial one that he should be present in Memphis on the day of contact. His purpose there would be to brief contacting Agent on HSCA's position in this matter, provide information concerning HSCA rules and procedures, and discuss HSCA interest surrounding interview of informant if he agrees to same. Mr. Keuch believed that by being present in Memphis at the time of informant contact, he

could answer any questions which arise during interview. Mr. Keuch stated he has no desire to meet the informant or to be present during contact but merely be available to answer questions which may arise. Mr. Keuch requested that an Agent from FBIHQ familiar with the individual informant situation accompany him to Memphis to assist in introducing him to appropriate personnel at the Memphis Office. Mr. Keuch expressed the desire to travel to Memphis during the week of 10/30/78, and most likely on 10/31/78.

Mr. Keuch also agreed with instructions to Memphis, as outlined in attached teletype, concerning actions to be taken in this matter if informant consents or refuses to cooperate with the HSCA.

MEMPHIS OFFICE CONTACT.

On 10/26/78, SAC Joseph H. Trimbach and ASAC Richard H. Blay, were telephonically furnished details as outlined above. They advised that appropriate personnel of the Memphis Office and [redacted] would be made available as requested. b2 b7D

OBSERVATIONS.

Since informant refused once to agree to HSCA interview, it is unlikely he will change his mind. We must not furnish his identity to the HSCA unless informant approves of such action. It is also not desirable to confront the HSCA on this issue. Therefore, the solution is to determine if informant on his own will agree to interview by the Committee. Prior to making this decision, he should be furnished a complete balanced prospective of the issues involved. This would include information about the HSCA and all points the HSCA specifically wants brought to his attention. Depending upon informant's attitude and decision, alternatives, such as an anonymous telephone interview, or a seperate room interview can be discussed and subsequently presented to the HSCA for its consideration. In this regard, Mr. Keuch's presence in Memphis could be of further assistance.

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HOUSE SELECT COMMITTEE
ON ASSASSINATIONS (HSCA)

RECOMMENDATIONS.

(1) That approval be granted to send attached teletype to the Memphis Office outlining above details concerning purposed contact with [redacted] b2 b7D

(2) That approval be granted for SA J. T. Aldhizer, Congressional Inquiry Unit, Records Management Division, accompany Mr. Keuch, per his request as outlined above.